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REPORT OF THE SECRETARY-GENERAL ON THE IMPLEMENTATION OF RESOLUTION 940 (1994)

I. INTRODUCTION

1. The present report is submitted in compliance with paragraph 14 of Security Council resolution 940 (1994) of 31 July 1994, in which the Council requested me to report on the implementation of that resolution at 60-day intervals starting from the date of deployment of the multinational force.

2. It will be recalled that, in accordance with paragraph 6 of the same resolution, I submitted to the Security Council on 18 October 1994 a report (S/1994/1180) on the activities of the advance team of the United Nations Mission in Haiti (UNMIH). That report also covered many of the issues relating to the implementation of the resolution.

3. The Security Council is also aware that, in accordance with paragraph 13 of the same resolution, the United States of America has regularly reported to it on the activities of the multinational force (S/1994/1107 of 28 September 1994, S/1994/1148 of 10 October 1994, S/1994/1208 of 24 October 1994 and S/1994/1258 of 7 November 1994).

II. RETURN OF PRESIDENT ARISTIDE

4. Following the deployment of the multinational force, President Jean-Bertrand Aristide returned to Haiti on 15 October 1994. On the same day, the Security Council, as had been envisaged in paragraph 17 of resolution 940 (1994), adopted resolution 948 (1994), effectively lifting all measures imposed against Haiti pursuant to resolutions 841 (1993) of 16 June 1993, 873 (1993) of 13 October 1993 and 917 (1994) of 6 May 1994.

5. On 25 October, President Aristide designated Mr. Smarck Michel the new Prime Minister. His appointment was ratified by both Chambers of the Parliament on 4 November and his platform was approved unanimously in the Senate on 6 November and by an overwhelming majority in the Chamber of Deputies on 7 November. The new Government took office on 8 November.

III. VISITS OF THE SECRETARY-GENERAL AND HIS SPECIAL REPRESENTATIVE

6. From 23 to 29 October 1994, my Special Representative, Mr. Lakhdar Brahimi, accompanied by my Military Adviser, Major General Maurice Baril, and a small team drawn from the Department of Political Affairs of the Secretariat and the Department of Peace-keeping Operations of the Secretariat, visited Haiti. During his stay there, my Special Representative met twice with President Aristide and a number of Haitian officials representing the Constitutional Government and the High Command of the Haitian Armed Forces. Mr. Brahimi also held meetings with the command of the multinational force, the Commissioner of the international police monitors and the representative of the International Criminal Investigative Training and Assistance Programme, which is currently in charge of training the Haitian police. Contacts were made with a wide range of representatives of the Haitian political, social, economic and religious circles, as well as non-governmental, human rights and popular organizations. Finally, Mr. Brahimi met with the Friends of the Secretary-General for Haiti accredited in Port-au-Prince. During discussions, consideration was given to the situation on the ground, the operation of the multinational force and conditions for the transition from the multinational force to UNMIH.

7. I myself paid a brief visit to Haiti on 15 November 1994 accompanied by my Special Representative, Assistant Secretary-General Rosario Green, and the Military Adviser, General Baril. I and my delegation were welcomed by President Aristide at the Presidential Palace, where the President and I met tête-à-tête. We were then joined by members of our delegations for an enlarged meeting. Our discussions dealt with national reconciliation, the reinforcement of democratic institutions and the revitalization of the Haitian economy, as well as the forthcoming legislative and local elections. Other topics included the future police force, the restructuring of the army and the reform of the judicial system. I assured President Aristide that the United Nations, in collaboration with the Organization of American States (OAS), would continue to assist Haiti on the road to national reconciliation, political stability and reconstruction. I also met with staff members of the United Nations, heads of United Nations agencies in Haiti and with senior personnel of UNMIH and the joint United Nations/Organization of American States International Civilian Mission to Haiti (MICIVIH).

8. Just before my visit, tropical storm "Gordon" had struck Haiti, in particular the metropolitan region of Port-au-Prince and the south and south-east regions of the country. The storm caused more than 400 deaths and affected 55,000 families, of which 15,000 were left without shelter. United Nations agencies in Haiti have pooled their special emergency resources and have at their disposal some US$ 300,000 to aid victims. The Government of Haiti has convened a special task force chaired by the Minister for Agriculture with assistance from the Ministries of Public Works and Social Affairs. The task force includes non-governmental organizations and donors. The United Nations Development Programme (UNDP)/Department of Humanitarian Affairs of the Secretariat representative will provide its secretariat. At the request of the Humanitarian Coordinator in Haiti, a special team from the Department of

Humanitarian Affairs of the Secretariat will be deployed to Haiti to help in the relief effort.

IV. PREPARATIONS FOR THE DEPLOYMENT OF UNMIH

9. As stated in my report of 18 October 1994 (S/1994/1180), the UNMIH advance team has established close coordination with the multinational force and continues to carry out its tasks of monitoring the operations of the force and preparing for UNMIH deployment under the provisions of resolution 940 (1994). The present strength of the advance team is 51 military, police and administrative personnel.

10. The advance team has reported that the multinational force continues to operate smoothly towards achieving its objectives under resolution 940 (1994), with few incidents and with evident widespread acceptance by the Haitian population. As the multinational force has expanded its deployment, the military observers of the UNMIH advance team have also enjoyed greater freedom of movement. No acts of intimidation or violence against the United Nations or other international presence have been reported. However, isolated incidents against Haitians have occurred, particularly in the provinces. Most of these incidents are said to be of a criminal nature.

11. The military and police personnel of the advance team have also been engaged in on-site planning for the transition from the multinational force to UNMIH. The administrative staff have made progress in assessing requirements for equipment and personnel for UNMIH. I have instructed that a technical team of administrative and logistic specialists be dispatched to Haiti in order to work with the advance team in establishing the operational and logistical plans for the deployment of the Mission.

12. Meanwhile, consultations with Governments have been actively pursued at Headquarters aimed at securing contributions of military and civilian police personnel to UNMIH and I intend to submit to the Security Council my recommendations in this regard shortly.

13. The salient issues that would need to be addressed in order to assure a smooth transition from the multinational force to UNMIH, such as training the Haitian police, a timetable of forthcoming legislative elections and the establishment of a secure and stable environment, continue to be the subject of discussions held in Port-au-Prince, Washington and New York between the United Nations Secretariat, the Government of Haiti, the Government of the United States of America and other interested parties.

14. Of particular concern is the creation of the new Haitian police. While training of the interim Haitian police has commenced, time will be required for this interim police force to reach the strength necessary to enforce law and order effectively so that UNMIH could assist the democratic government of Haiti in fulfilling its responsibilities in connection with sustaining the secure and stable environment which is to be established during the operation of the multinational force.

15. On 28 October 1994, President Aristide ordered the dismissal of the rural police agents, the so-called "section chiefs", who had been illegally reintegrated into the Army. The High Command of the Armed Forces of Haiti announced on 3 November 1994 that the activities of the section chiefs had ended. The commanders of the departments had been instructed to recover their weapons, ammunitions and public assets without delay. In order to restore institutional and legal structures at the commune level, the Haitian Parliament would have to approve a law on local government.

16. In paragraph 10 of resolution 940 (1994), the Security Council requested that UNMIH assist the legitimate constitutional authorities of Haiti in establishing an environment conducive to the organization of free and fair legislative elections, to be monitored, when requested by those authorities, by the United Nations in cooperation with OAS. Accordingly, I dispatched on 26 October 1994 a United Nations electoral team to Haiti to evaluate possibilities for such assistance. The head of the Electoral Unit of the Department of Peace-keeping Operations of the Secretariat, Mr. Horacio Boneo, visited Haiti again on 9 and 10 November 1994.

V. HUMAN RIGHTS

17. In its resolution 940 (1994), the Security Council expressed grave concern over the expulsion on 12 July 1994 by the Haitian de facto regime of members of MICIVIH. In coordination with the Secretary-General of OAS, I have decided to redeploy the core group of MICIVIH which had been temporarily evacuated to the Dominican Republic. The first group of about 20 observers has already returned to Haiti. The strength of this group will shortly be increased to 50 personnel. I am planning to recommend to the General Assembly, again in consultation with the Secretary-General of OAS, an expansion of the present mandate of MICIVIH and a further increase in its staff to some 230 observers, about half of whom would come from the United Nations. The General Assembly is scheduled to consider this matter on 28 November 1994.

VI. ECONOMIC RECOVERY

18. Finally, in accordance with resolution 940 (1994) in which the Security Council reiterated the commitment of the international community to assist and support the economic, social and institutional development of Haiti, a team from the Department of Humanitarian Affairs visited Haiti from 25 September 1994 in order to establish a comprehensive list of critical emergency needs. This effort was conducted in coordination with UNDP, other United Nations agencies and non-governmental organizations. Additionally, a survey team of 35 members travelled to Port-au-Prince on 4 November with a view to updating the Emergency Economic Recovery Programme to Haiti. This team is led by the Inter-American Development Bank and includes representatives of UNDP, other United Nations agencies, the International Monetary Fund, the World Bank and my Special Representative's Economic Adviser.

VII. RECOMMENDATION

19. The head of the UNMIH advance team has recommended that the strength of the team, including United Nations military and police observers and military planners, should be increased in order to further facilitate planning of UNMIH, identification of conditions required for the transition and, most important, preparation for the actual transition. To accomplish these tasks, a substantial expansion of the advance team is required. The Security Council is accordingly recommended to authorize expansion of the advance team up to 500 members to allow it to be progressively strengthened so that it is fully prepared to enter the transition period when UNMIH takes over responsibilities from the multinational force.